

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARL A.C. BRANDON,

Defendant.

Case No. 18–CR-30137-SMY

PRELIMINARY ORDER OF FORFEITURE

In the Indictment filed in this case on August 22, 2018 (Doc. 1), the United States sought the forfeiture of property of Defendant Carl A.C. Brandon pursuant to 18 U.S.C. § 924(d) and 21 U.S.C. § 2461(c). The Court, upon consideration of the guilty plea in this matter, finds that the following property is forfeitable and ORDERS its forfeiture:

- a. A Glock, Model 26GEN4, 9mm pistol, bearing serial number BELK662; and**
- b. A Harrington and Richardson, Model 088, 12-gauge shotgun bearing serial number AZ455355, and**
- c. And any and all ammunition contained therein.**

The United States shall, under the authority of 21 U.S.C. § 853(n)(1), “publish notice of the order and of its intent to dispose of the property in such matter as the Attorney General may direct,” and provide notice of the forfeiture and the right of persons other than the defendant who have any claim or legal interest in any of the property to file a petition with the Court. The Notice shall be provided in a manner consistent with Supplemental Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The Notice shall state that the petition will be set for a hearing to adjudicate the validity of the petitioner’s alleged interest in the property; shall be signed by the petitioner under penalty of

perjury; and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States shall, also to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order for Forfeiture, as the substitute for the published notice to those persons so notified. Upon the filing a petition alleging the third-party interests in the property, the Court may amend this Order to resolve the claimed third-party interests.

The United States Marshal or the property custodian for the Bureau of Alcohol, Tobacco, Firearms and Explosives shall seize and reduce to his possession, if he has not already done so, the above-described property.

This Order, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, shall become final with respect to Defendant James Antwon Johnson at the time of Defendant's sentencing, regardless of whether or not the rights of actual or potential third-party petitioners have been determined by that time. This Order shall be made part of the sentence of Defendant James Antwon Johnson and shall be included in the Judgment imposed against Defendant. This Order is a final order with respect to Defendant.

The United States may abandon forfeiture of the property by filing notice of the abandonment with the Court.

IT IS SO ORDERED.

DATED: April 4, 2019



STACI M. YANDLE
United States District Judge